



Attorney Docket No.: 22981/6-CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Tucker et al. EXAMINER: Not Yet Assigned
SERIAL NO.: 10/762,796 GROUP ART UNIT: 1634
FILED: January 22, 2004 CONFIRMATION NO.: 5397
FOR: *NITRIC OXIDE DONATING DERIVATIVES OF STILBENES,
POLYPHENOLS AND FLAVONOIDS FOR THE TREATMENT OF
CARDIOVASCULAR DISORDERS*

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: MAIL STOP MISSING PARTS, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Sandra Wittrup Date: December 10, 2004
Sandra Wittrup

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Non Provisional Application, dated August 10, 2004, Applicants enclose the following:

1. Executed Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63 (4 pgs.);
2. Copy of the Notice to File Missing Parts of Non Provisional Application (2 pgs.);
3. Petition for Two Month Extension of Time (1 pg.);
4. Preliminary Amendment (3 pgs.).

Please charge Deposit Account No. 50-0369 in the amount of \$65.00 to cover the surcharge under 37 C.F.R. §1.16(e) and \$225.00 to cover the Petition for Two Month Extension of Time, along with any other necessary charges or credits.

Respectfully submitted,

Date: December 10, 2004



Thomas M. Saunders
Registration No. 29,585
Customer No. 21710
Attorney for Applicant(s)

BROWN RUDNICK BERLACK ISRAELS LLP
One Financial Center, Box IP
Boston, MA 02111
(617) 856-8284
(617) 856-8201 (fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22311-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/762,796	01/22/2004	Joseph Tucker	22981/6-CIP

CONFIRMATION NO. 5397

21710
BROWN, RUDNICK, BERLACK & ISRAELS, LLP.
BOX 1P, 18TH FLOOR
ONE FINANCIAL CENTER
BOSTON, MA 02111

FORMALITIES LETTER



OC000000013500110

Date Mailed: 08/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

12/16/2004 14:30:00 10762796 500369 65.00 US
01 00:00:00

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE